IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 96 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 10/11/2004 in W.P.M.P.No.27910 of 2003 in WP No. 22310 OF 2003 on the file of the High Court.)

Between:

1. Molugu Umma Reddy, S/o. M. Malla Reddy, H.No.2-2-1105/46/D, Ramakrishnagar in Tilaknagar,
Amberpet, Hyderabad. (Appellant No.1, being the Legal Rep. of Late M. Malla Reddy, is entitled to his share in the 1/3rd out of 1/4th share.)
2. Molugu Rukma Reddy, S/o. Late M. narasimha Reddy,
R/o. Plot No.12, Seshachala Colony, West Marredpally, Secunderabad Contonment, Secunderabad.
3. Smt. Nareddy Rukmini @ N. Vimalamma, W/o. N. Jaihind Reddy, R/o Attvelli village, Medchal Revenue Mandal, R.R.District.

(Appellants 2 and 3 being legal Rep. of Late Sri M. Narsimha Reddy, they are entitled to their respective
shares in the 1/3rd out of 1/4th share.)

..... APPELLANTS

AND

1. The State of A.P., I&C (I&F) Dept., rep. by the Principal Secretary to Govt and Commissioner
for Indsutrial Promotion, Secretariat, Hyderabad.
2. The Chief Commissioner Land Administration, Govt of A.P., Hyderabad.
3. The District Collector, Ranga Reddy District, Hyderabad.

4. The Special Deputy Collector, Land Acquistion (Inds), Govt. of A.P., Domalguda, Hyd.
5. The Mandal Revenue Officer, Keesara Mandal, R.R.District.
6. Smt. Molugu Syamala @ Molugu Syamalamma, W/o. Late Sri Molugu Ram Reddy, R/o. Flat No.104, D.No.3-6-602, Soundarya Residency, St. No.8, Himayatnagar,
Hyderabad 500029.
7. Sri Molugu Suresh Chandra Reddy, S/o. Late Sri M. Ram Reddy, R/o. Flat No. 104, D.No.3-6-602, Soundarya Residency, St. No.8, Himayatnagar, Hyderabad-500 029.
8. Dr. Molugu Sharat Chandra Reddy, S/o. Late Sri M. Ram Reddy, R/o. Flat No.301, Maruthi Enclave, Maruthi Nagar, ECIL Post, Hyderabad.
9. Smt. Molugu Sunitha, W/o. Late Sri M. Subhash Chandra Reddy, R/o. H.No.1-9-92, Kushaiguda,ECIL Post,

Hyderabad-500 062.

(Respondents 6 to 9 are the legal heirs of Late Sri M. Ram Reddy, and entitled to their respect shares in 1/4th share of late Sri M. Papi Reddy.
10. Smt. Molugu Saraswathi, W/o. Late Sri M. Krishna Reddy,
Municipality, Keesara Revenue Mandal, R.R.District.
11. Sri Molugu Bhaskar Reddy, S/o. Late Sri M. Krishna Reddy,
Municipality, Keesara Revenue Mandal, R.R.District.
12. Sri Molugu Basanth Reddy, S/o. Late Sri M. Krishna Reddy,
Municipality, Keesara Revenue Mandal, R.R.Dist, Respondents 10 to 12 are the legal representatives of the
Sri Molugu Krishna Reddy, and entitled to their respective, shares in 1/4th share of late Sri M. Papi Reddy.
13. Smt. C. Rama Devi, W/o. Sri C. Lakshma Reddy, D/o. Late M. Papi Reddy, R/o. 16-8230/11, Malakpet, Hyderabad.
14 Smt. G. Yashoda Devi, W/o. Sri G. Janardhan Reddy, D/o. Late Sri M. Papi Reddy, R/o. Rayapole Vill,
Y Acharam Mandal, Old Ibrahimpatnam Taluk,R.R.District.

(Respondents 13 and 14 are the Legal Rep. of late Sri M. Papi Reddy, and they are entitled to their respective share in 1/4th share in 1/4th share of Sri M. Papi Reddy.)
15. Sri Molugu Vittal Reddy, S/o. Late Sri M. Ranga Reddy,
R/o. 7-316/6, Kamalanagar, ECIL POST, Hyderabad 500 062.
16. Smt. Kasula Parvathalamma, @ Smt. K. Rukminamma, W/o. Sri K. Lakshminarayan Reddy, D/o. Late Sri M.-
R/o. H.No.7-110, Sadar Bazar, Bolarum, Secunderabad Cantonment, Secunderabad.
17. Sri Arravali Rukamanga Reddy, S/o. Late A. Bal Reddy, Son in law, R/o. Flat No.403, Pushp Apartments, Saidabad, Hyd.
18. Smt. M. Madhavi, w/o. Sri M. Manohar Reddy, Grand D/o of Sri M. Ranga Reddy, R/o. Flat No.403, Pushp apartments, Saidabad, Hyderabad.
19. Smt. S. Madhuri, W/o. Sri S. Ravinder Reddy,
Grand D/o. of Late Sri M. Ranga Reddy, R/o. 16-8-240/6C,
New Malakpet, Hyderabad.
20. Smt. A. Andalamma, W/o. Sri A. Narayan Reddy, D/o. Late Sri M. Ranga Reddy, R/o. Rudraram Village, Sanga Reddy Mandal, Medak District.
21. Smt. P. Bharathi, Smt. P. Heamavathi, W/o. Sri P. Janardhan Reddy, R/o. 3-4-513/15, Barkatpura, Hyderabad.
22. Smt. G. Jayamma, W/o. Sri G. Venkat Reddy,

Grand Daughter of Late Sri M. Ranga Reddy, R/o. Mamidipalli Village, Saroornagar Revenue Mandal,
Old Hyderabad East Taluk, R.R.District.
23. Sri C. Malla Reddy, S/o. Late Sri Bhadra Reddy, Grandson of Late Sri M> Ranga REddy,
R/o. Gaddemallayagudem Village, Yacharam Revenue Mandal, Ibrahimpatnam Taluk, R.R.District.
24. Sri C. Ramalinga Reddy, S/o. Late Sri C. Bhadra Reddy,
R/o. Gaddemallayagudem Vill, Yacharam Revenue Mandal, Ibrahimpatnam Taluk, R.R.District.
25. Sri D. Durga Reddy, S/o. late Sri D. Narasimha Reddy, Grand Son of Late Sri M. Ranga Reddy,
J.P. Colony, Road No.2, Pattancheru, Medak District.
26. D. Abhimanya Reddy, S/o. D. Narasimha Reddy, Grand Son of Late Sri M. Ranga Reddy, J.P. Colony, Road No.2, Pattancheru, Medak District.
27. D. Mahender Reddy, S/o. late D. Narasimha Reddy, Grand Son of Late Sri M. Ranga Reddy, J.P. Colony, Road No.2, Pattancheru, Medak District.
28. D. Vibhushan Reddy, S/o. Late D. Narasimha Reddy, Grand Son of Late Sri M. Ranga Reddy,
J.P. Colony, Road No.2, Pattancheru, Medak District.
29. D. Prakash Reddy, S/o. Late D. Narasimha Reddy, Grand Son of Late Sri M. Ranga Reddy,
J.P. Colony, Road No.2, Pattancheru, Medak District.
30. Smt. Y. Pushpamma, W/o. Late Y. Durga Reddy, Grand Son of Late Sri M. Ranga Reddy, J.P. Colony, Road No.2, Pattancheru, Medak District.
31. Smt. Subbamma @ Subha Charita, W/o. Sri Venkat Reddy, Grand Son of Late Sri M. Ranga Reddy,
J.P. Colony, Road No.2, Pattancheru,Medak District. Rr-15 to 31 being the legal rep. of Lat Sri M. Ranga Reddy,
they are entitled to their respective Shares in 1/4th share of M. Ranga Reddy.
32. Sri Molugu Sudhakar Reddy, S/o. Late M. Venkat Reddy,
R/o. H.No.10-1-215/4, Chakrapuram Colony, Kushaiguda Village, Kapra Municipality,
Keesara Mandal, R.R.District.
33. Sri Molugu Pratap Reddy, S/o. Late M. Venkat Reddy,
R/o. Sri Chakri Public School in Chakrapuram, Near Nagarjuna Colony in Kushaiguda Village,
under Kapra Municipality, Deesara Revenue Mandal, R.R.District.
34. Molugu Jaswanth Reddy @ Daswanth Reddy, S/o. Late M. Venkat Reddy, R/o. H.No.1-9-385, Kushaiguda, Under Kapra Municipality, Keesra Mandal, R.R.District.
35. Molugu Narasimha Reddy, S/o. Late M.Venkat Reddy, R/o.H.No.1-9-383, Kushaiguda, Under Kapra Municipality,
Keesara Mandal, R.R.District. (

RR-32 to 35 being legal representatives of late Sri M.Venkat Reddy, they are entitled to their respective Shares in 1/4th share of M.Venkat Reddy.)
36. Sri Molugu Mahipal Reddy, S/o. Late M. Yella Reddy,
R/o. H.No.2-2-18/18/4/16, Deshmukh Colony, Hyderabad-500 013.
37. Molugu Panasa Reddy, S/o. Late M. Yella Reddy,
H.No.1-9-386, Kushaiguda Vill under Kapra Municipality, Keesara Revenue Mandal, Ranga Reddy District.
38. Molugu Sanjeeva Reddy, S/o. Late M. Yella Reddy,
H.No.1-9-386, Kushaiguda Vill under Kapra Municipality, Keesara Revenue

Mandal, Ranga Reddy District.
39. Molugu Janardhan Reddy, S/o. Late M. Yella Reddy,
H.No.1-9-386, Kushaiguda Vill under Kapra Municipality, Keesara Revenue Mandal, Ranga Reddy District.
40. Smt. Molugu Laxmi, W/o. Late Sri M. Pratap Reddy,
Daughter-in-law of Late Sri M. Yellareddy, R/o. H.No.1-9-342, Kushaiguda, Under Kapra Municipality,
Keesara Revenue Mandal, R.R.District.
41.Sri Molugu Srinivas Reddy, S/o. Late M. Prathap Reddy, Granson of Late M. Yella Reddy,
R/o. H.No.1-9-342, Kushaiguda, Under Kapra Municipality, Keesara Revenue Mandal, R.R.District.
(RR-36 to 41 being the legal representatives of Late Sri M. Yella Reddy, they are entitled to their respective shares in 1/3rd share out of 1/4th share.
42. Molugu Ram Reddy, S/o. Late M. Narsimha Reddy, '
R/o. 2-2-18/16/2, Deshmukh Colony, Nallakunta, Hyd. Respondent No.42 being the Legal Rep. of late sri M.-
Narsimha Reddy is entitled to his share in 1/3rd out of 1/4th share.
43. Molugu Venkat narasimha Reddy, S/o. Late M. mallaReddy,
R/o. H.No.16-2-738/C/18, Asman Gadh, Malakpet, Hyderabad 500 036.
44. Molugu Raghuram Reddy, S/o. Late M. Malla Reddy,
R/o. H.No.6-39, Bhavani Nagar, Dilsukhnagar, Hyderabad 500 036.
45. Molugu Muthyam Reddy, s/o. Late M. Mala Reddy,
R/o. Flat No.104, Balaji Bhagyanagar Apartments, Nallakunta, Hyderabad.
46. Smt. Molugu Balamani, @ Manemma, W/o. Late M. Bharat Reddy, R/o. Plot No.104, Balaji Bhagyanagar Apartments, Nallakunta, Hyderabad.
47. Molugu Pavan Kumar Reddy, S/o. Late M. Bharath Reddy,
R/o. Plot No. 104, Balaji Bhagyanagar Apartments, Nallakunta, Hyderabad.
48. Molugu Sravan Kumar Reddy, S/o. Late M. Bharath Reddy,
R/o. Plot No.104, Balaji Bhagyanagar Apartments, Nallakunta, Hyderabad,

(RR-43to 48 being Legal Representatives of late Sri M.Malla

Reddy, are entitled to their respective shares in the 1/3rd out of 1/4th share.)

.....RESPONDENTS

Counsel for the Appellants: Mr.VILAS V.AFZULPURKAR

Counsel for Respondent Nos. 1 to 5: G.P. for Land Acquisition

Counsel for Respondents 16 to 31: Mr.A.Ravinder Reddy

Counsel for Respondents 34 to 48: Mr.C.V.Mohan Reddy

Counsel for Respondent No.6: Mr.K.Ramakrishna Reddy

For Mr. B.Mahender Reddy.

Counsel for Respondent No. 8: Mr. H.Venugopal.

Counsel for Respondents 7, 9 to 15

32 and 33 : None appeared.

The Court at the admission stage made the following :

ORAL JUDGMENT:

(per Honourable Sri Devinder Gupta, the Chief Justice)

The Appeal is against the order passed by the learned Single Judge declining to stay operation of G.O.Ms.No.375, dated: 7.9.2002. The Writ Petition is pending.

We have heard the learned counsel for parties.

By G.O.Ms.No.375, dated: 7.9.2002, notification under Section 248(1) of the Land Acquisition Act has been issued releasing certain parts of land which were already acquired by the State Government by notification dated: 17.11.1966 and 1.12.1966 under Sections 4 and 6 respectively of the Land Acquisition Act, for which, award was also made in the year 1969. The appellants' grievance is that, in case, State Government has issued a notification under Section 48(1) of the Act, it must enure to the benefit of all the owners jointly and not in favour of any individual owner. There appears to be some dispute amongst the owners and we also find that there is some substance in what the learned counsel for the appellants states. We are of the view that in case some protection is not provided to the appellants, there is possibility of certain respondents, to whom the land is released from acquisition pursuant to the said G.O, transferring the possession and title of the said property to others. Therefore, we allow the Appeal, set aside the impugned order and direct that, during the pendency of the Writ Petition, in case, possession is delivered pursuant to the impugned G.O, the land will not be parted with or no third party interest is created, and, whatever action is done pursuant to the said G.O., it will be subject to the result of the Writ Petition. It is needless to mention that the Writ Petition will be heard and disposed of uninfluenced by the observations, if any, made in this judgment. No costs.

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DEVINDER GUPTA, C.J.

8.2.2005. _____

M.NARAYANA REDDY, J.

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To.

1. The State of A.P., I&C (I&F) Dept., rep. by the Principal Secretary to Govt and Commissioner
for Indsutrial Promotion, Secretariat, Hyderabad.
2. The Chief Commissioner Land Administration, Govt of A.P., Hyderabad.
3. The District Collector, Ranga Reddy District, Hyderabad.
4. The Special Deputy Collector, Land Acquistion (Inds), Govt. of A.P., Domalguda, Hyd.
5. The Mandal Revenue Officer, Keesara Mandal, R.R.District.
6. Two CCs to the Government Pleader for Land Acquisition, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.

8. 2 CCs to the Section Officer, Writ Posting Section, High Court of A.P., Hyderabad.